

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TROY K. SCHEFFLER,

Plaintiff,

v.

COUNTY OF DUNN,

Defendant.

ORDER

08-cv-622-bbc

Plaintiff Troy K. Scheffler is proceeding in this diversity action against Dunn County, alleging that the Dunn County Sheriff's Department failed to comply with Wisconsin's open records laws, Wis. Stat. §§ 19.21-19.39. Plaintiff is seeking damages for the exacerbation of his medical condition and present and future lost wages. Now before the court is defendant's motion to compel plaintiff to produce audio recordings as requested in request for production of documents #11. Plaintiff objects to the motion.

In request #11, defendant asked plaintiff to produce copies of audio and video recordings in his possession that relate to his claims in this case. Plaintiff produced some audio recordings. However, he did not produce a recording from July 1, 2008, that his friend allegedly made at the Dunn County Jail, and an audio recording of a telephone conversation between himself and defendant's counsel. Plaintiff has refused to produce these recordings. Therefore, I will grant defendant's motion to compel plaintiff to produce the audio recordings requested in request for production of documents #11, including the July 1, 2008 recording and the recording of the telephone conversation between plaintiff and defendant's counsel.

ORDER

IT IS ORDERED that defendant's motion to compel production of audio recordings, dkt. #61, is GRANTED. The recordings shall be produced to defendant's counsel not later than five days after plaintiff receives this order.

Entered this 23rd day of October, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge